



DEFENSE INFORMATION SYSTEMS AGENCY

P. O. BOX 549
FORT MEADE, MARYLAND 20755-0549

December 5, 2011

VIA ELECTRONIC FILING

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TWB-204
Washington, DC 20554

Re: ***Review of Foreign Ownership Policies for Common Carrier and Aeronautical Radio Licensees under Section 310(b)(4) of the Communications Act of 1934, as Amended, IB Docket No. 11-133***

As the designated Department of Defense (DoD) counsel for regulatory filings with the Commission, I am filing this comment for consideration in the current Notice of Proposed Rulemaking, 26 FCC Rcd 11703 (2011).

The Department of Defense participates with the Department of Justice and the Department of Homeland Security in a joint review of applications filed under section 310(b)(4). When the Commission was considering changes to its rules in 2004 with respect to foreign ownership, DoD made a filing on May 6, 2004 (in IB Docket No. 04-47, Rules Applicable to International 47 U.S.C. § 214 Authorizations; Rules Relating to Provision of U.S. International Telecommunications Services; and Cable Landing License Compliance with the Coastal Zone Management Act of 1972 – 16 U.S.C. §§ 1451 et.seq.) that stated (in part):

“...The Department of Defense requests that ... it may continue to receive notification of proposed shifts in foreign ownership interests prior to any action by the Commission...” and “... post-action notification of such transactions would not be in the public interest...”

Similarly, DoD asks that the Commission continue to seek input from the Executive Branch prior to granting licenses under 47 U.S.C. § 310(b)(4) to entities with foreign ownership or control interests.

In order to ensure that national security interests are properly protected, there must be an opportunity to review, and sufficient information must be made available during these reviews, to allow for full consideration of the impact on national security. Thus, the Department of Defense generally supports the positions of the Department of Justice and the Department of Homeland Security to the extent any changes would negatively affect the ability of the Department of Defense to conduct reviews of those cases that impact DoD interests.

DoD reserves the right to reply to any other comments made during this proposed rulemaking.

One electronic copy of this comment is being submitted to the Secretary of the FCC in accordance with the Commission's rules.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert S. Gorman", with a long horizontal flourish extending to the right.

ROBERT S. GORMAN
General Counsel